

LETTER OF INTENT  
CONCERNING THE FREDERICK WEST RV STORAGE WAIVER REQUEST

OCTOBER 13, 2010

The owners of Frederick West RV Storage, LLC are requesting a waiver to allow us to keep 2 strands of barbed wire at the top of our cedar fence in order to enhance security against vandalism and theft.

Specifically, the waiver is for Article 2 Community Design Principles paragraph d.1 which states that "contemporary security fencing such as concertina or razor wire, barbed wire or electronically charged fences are prohibited unless specifically allowed by the Board of Trustees."

This article provides a vehicle for the Board to allow such fencing, and we are requesting that they exercise their ability to grant Frederick West RV Storage the right to deter crime with 2 strands of barbed wire.

We have already used the security measures that are permitted by Code such as security cameras with infra red night time capability, a digitally controlled electronic gate, parking lot lights that are left on during all hours of darkness and a six foot fence that has no horizontal support on the outside which makes it difficult to climb.

Despite these measures, our property has been broken into twice, with many vehicles broken into. During the last break-in the burglars climbed the fence and broke into twenty plus vehicles causing thousands of dollars in damage. The police found footprints in the snow from the road to the fence where thieves climbed over to gain access to the property which is why we added the barbed wire.

The hardship experienced here is in the code itself: code restrictions that do not allow the extra deterrent that barbed wire can provide. When break-ins happen, your whole community suffers. The police department spends valuable man hours investigating, the vehicle owners have to make costly repairs and replace stolen goods, and thieves discover that theft in Frederick can pay off.

We provide a service to tri-town residents who need a safe and legal place to store their RV's, boats and trailers since code and HOA's typically disallow storage at one's own home.

The Frederick West Industrial Park is our "neighborhood". With one exception, our neighbors are light industrial businesses. Our closest southern neighbor sells the same type of vehicles that we store and keeps their inventory stored in a lot with a chain link fence that has a barbed wire top. At least five other neighboring businesses have existing barbed wire, most have inventory or equipment like machinery stored outside. In short, the 2 strands of wire at our lot are not out of place and discreetly done. If anything, Frederick West RV Storage stands out for being meticulously maintained. It is trash and weed free and the fence is well taken care of.

The exception to the industrial feel of the neighborhood is the Carbon Valley Academy property that shares our north border. CVA did not build a fence on their own property line; they use our property as part of their playground and use our fence to define their play area. The fence is 9 feet south of our property line due to an underground drainage pipe we had to put in. Our cedar fence is 6 feet tall. The barbed wire is above that, just two strands. The lowest level of wire is over 6 feet above the ground. The fence does not have horizontal braces that make it easy to climb. The only way to touch the wire is to figure a way to climb a 6 foot smooth fence. An individual, child or adult, would have to make a real effort to come in contact with the wire. As such, it does not pose a hazard to anyone other than a vandal or thief.

The Comprehensive Plan states "The town should be safe..." . The barbed wire in question for this waiver, deters crime and therefore helps enhance safety in the Town of Frederick. The safety of the vehicles stored is part of that, but what is more important is deterring crime in general. Making an effort to make businesses a more difficult target discourages criminally minded people from hanging around. If burglary is easy, criminals will take advantage and identify the community as an "easy target". Subtle, well installed barbed wire that sits atop a well maintained, recently stained cedar fence allows a balance between aesthetics and security.

The Comprehensive Plan seeks to maintain an overall balance and image within the community. This waiver does not impair the intent of the Comprehensive Plan. With this waiver, the appearance of the property is minimally modified and blends in with other businesses in the industrial park.